

Message Text

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64

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INFO OCT-01 EUR-12 EA-10 NEA-10 ISO-00 EB-07 L-03 CIAE-00

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R 192240Z JUN 75

FM SECSTATE WASHDC

TO AMEMBASSY TOKYO

AMEMBASSY NEW DELHI

AMEMBASSY ROME

INFO AMEMBASSY MOSCOW

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E.O. 11652: N/A

TAGS: ETRD, UR, JA, IN, IT

SUBJECT: ABDRBITRATION AGREEMENTS WITH THE SOVIET CHAMBER
OF COMMERCE

AMERICAN ARBITRATION ASSOCIATION HAS BEEN NEGOTIATING WITH
SOVIET CHAMBER ODDF COMMERCE (C OF C) FOR AN AGREEMENT ON
"RECOMMENDED" ARBITRATION PROCEDURES, INCLUDING A MUTUALLY
ACCEPTABLE ARBITRATION CLAUSE FOR INCLUSION IN US-SOVIET
COMMERCIAL CONTRACTS. C OF C HAS SIMILAR AGREEMENTS WITH
JAPANESE ASSOCIATION OF COMMERCIAL ARBITRATION, FEDERATION
OF INDIAN CHAMBERS OF COMMERCE AND INDUSTRY, AND ITALIAN
ARBITRATION ASSOCIATION. USDOC HAS NOT ENCOURAGED SUCH AN
AGREEMENT BETWEEN C OF C AND AMERICAN ARBITRATION ASSOCIA-
TION BECAUSE INTER ALIA, THERE HAS BEEN SOME FEAR EXPRESSED
THAT "RECOMMENDATIONS" WILL BECOME BINDING ON SOVIET FTOS
AND WILL MAKE IT DIFFICULT FOR US COMPANIES DESIRING DIFFE-
RENT DISPUTE RESOLUTION PROVISIONS OR CLAUSES IN THEIR
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CONTRACTS. ACTION REQUESTED: ACTION POSTS REQUESTED TO

SURVEY LOCAL ARBITRATION BODIES TO DETERMINE HOW THE
BILATERAL AGREEMENTS HAVE WORKED OUT IN PRACTICE AND TO
OBTAIN COPIES OF THE AGREEMENTS IF POSSIBLE. KISSINGER

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